

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

FERNANDO CORIA,

Plaintiff,

vs.

M. GARCIA, et al.,

Defendants.

1:20-cv-01652-GSA-PC

ORDER TO EITHER:

**(1) SUBMIT NEW, COMPLETED
APPLICATION TO
PROCEED IN FORMA
PAUPERIS;**

OR

**(2) PAY \$400.00 FILING FEE
IN FULL**

TWENTY-DAY DEADLINE

**ORDER FOR CLERK TO SEND
PLAINTIFF AN APPLICATION TO
PROCEED IN FORMA PAUPERIS**

Fernando Coria ("Plaintiff") is a state prisoner proceeding *pro se* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on November 20, 2020, together with an application to proceed *in forma pauperis* under 28 U.S.C. § 1915. (ECF Nos. 1, 2.) However, Plaintiff did not complete all parts of the application.

Page one, part 3 of the application asks, "Have you received any money from the following sources over the last twelve months?" (ECF No. 2 at 1 ¶3.) Plaintiff failed to answer whether he had received any money from "(a) business profession or other self-employment, (b) Rent payments, interest or dividends, (c) Pensions, annuities or life insurance payments, (d) Disability or workers compensation payments, or ... (f) Any other sources." (*Id.*) Plaintiff answered "Yes" as to "(e) Re Gifts or inheritances," but then failed to answer the follow-up

question, “If the answer to any of the above is “yes,” describe by that item each source of money, state the amount received, as well as what you expect you will continue to receive.” (Id.)

Without knowing Plaintiff’s present financial status, the court cannot grant his application to proceed *in forma pauperis*. Plaintiff shall be granted another opportunity to submit a new, completed application to proceed *in forma pauperis*, providing all of the information requested, or pay the \$400.00 filing fee for this action, within twenty days.¹

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk shall send Plaintiff an application to proceed *in forma pauperis*;
2. **Within twenty (20) days** of the date of service of this order, Plaintiff shall either:
 - (a) Submit an application to proceed *in forma pauperis* to the court, completed and signed; or
 - (b) Pay the \$400.00 filing fee for this action;
3. Plaintiff is not required to submit another certified copy of his prison trust account statement;
4. No requests for extension of time will be granted without a showing of good cause; and
5. **Plaintiff’s failure to comply with this order will result in a recommendation that this action be dismissed.**

IT IS SO ORDERED.

Dated: December 1, 2020

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

¹ Plaintiff is not required to submit another certified copy of his prison trust account statement. The court receive a certified copy on November 30, 2020, ECF No. 6.